THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 2110 of 2006

Dated: 30.08.2006

Between:

Smt. P. Bharathi, D/o late Sri Ramulu, resident of C/o Sri Mubarak Kasab Wadi, H.No.13-80, Asifabad, Adilabad District.

.... PETITIONER

AND

APSRTC, rep. by its Vice-Chairman and Managing Director, Musheerabad, Hyderabad and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 2110 of 2006

Order:

Aggrieved by the action of the 2nd respondent, namely the Regional Manager, in deleting her name from the list of approved/selected Conductors, the petitioner filed the present writ petition.

According to the petitioner, she submitted her application for the post of Conductor and after regular process of selection, she was selected and her name was included in the list of selected candidates and she was being engaged and disengaged from time to time by the respondents-Corporation as per the peak and slack season respectively. While the matter stood thus, the 2nd respondent issued the impugned proceedings deleting her name from the select panel of daily wage conductors of Adilabad Region on the ground that she did not report for duty before the Regional Manager, Hyderabad, in pursuance of the letter dated 17.09.2005. The grievance of the petitioner is that she was not served with any such notice directing her to attend for duties before the Regional Manager, Hyderabad, and she is not aware of the alleged notice issued by the 2nd respondent, and therefore, she sought for an appropriate direction.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-Corporation.

Learned counsel for the petitioner submitted that in similar circumstances, a Division Bench of this Court in "***Regional Manager, APSRTC v. Md. Javed Pasha***[1]" held that deletion of names from the

approved list, without conducting any enquiry, is bad, and he sought for similar order.

As the petitioner was selected and empanelled for being engaged as a Conductor, her name cannot be deleted from the list unless there is any justifiable reason and especially after conducting due enquiry. But, the 2nd respondent, namely the Regional Manager deleted the name of the petitioner on the ground that she did not respond to the notice, for which, the petitioner claims that she is not aware.

Under the above circumstances, the writ petition is allowed. The 2nd respondent, namely the Regional Manager, is directed to restore the name of the petitioner in the selected list of Conductors and provide the work as was being given for all the empanelled Conductors. No costs.

_____

N.V. RAMANA, J.

Date: 30.08.2006
Nsr/Ksr

---

1 2005 (4) ALT 127 (D.B.)